# SERGEANT WAS IN THE WRONG

Should Have Marched His Men to the Church Even if He Did Not Go In.

SPRINGFIELD, OHIO, CASE

OPINION OF JUDGE ADVOCATE GENERAL DAVIS.

Washington, Feb. 3.-The text of the pinion of Judge Advocate Davis in connection with the sergeant's refusal to obey orders at Columbus, Ohio, barracks, to at-

the department ordered the sergeant's reduction and transfer to another post, shows the following question submitted to the secretary of war by the commanding officer of the recruiting depot at Columbus barracks:

"Is an order directing a soldier of a command by the commanding officer thereof to attend divine worship in a church in which he was brought up and who has no conscientious scruples against attending such services so manifestly illegal as to warrant such soldier in deliberately violating the same?"

Judge Advocate's Opinion

Judge Advocate's Opinion.

thereof."

The says officers and enlisted men of the army have never been required to attend religious services.

"I must therefore conclude that." General Davis continues, "while a post commander lawfully may 'ssue such orders as he may deem necessary to secure a proper observance of the Sabbath, it is not competent for him to require officers and enlisted men to attend divine services, or to promulgate instructions in respect to the observance of the day while hare in excess of or contrary to the requirements of the fifty-second article of war.

The burned building was close to an exchange of the Chicago Telephone solution of the question will be reached without the least sacrifice of Japanese the fire raged, but on receiving a warning from the fire chief they left their posts, stopping telephone service throughout the business district for a time.

MRS. LONGWORTH ILL.

Daughter of President Has Severe Attack of the Grip.

Washington, Feb. 3.—Mrs. Alice Roosevelt Longworth, wife of Representative Longworth of Ohio, and daughter of the president, is ill at her

Required to Obey.

Required to Obey.

"As an incident of his authority as post commander, however, he may require those who attend divine services to form at a designated time and place, and to march to and from the place where services are to be held, in a proper military manner. He may also require an officer or non-comissioned officer to supervise such formation, to march the command to and from the chapel, and to maintain order during the progress of the services. Such an order does not require the officer or non-commissioned officer who receives it to take part in the worship, but only to see that the requirements of the article are observed by those who voluntarily attend. The case is similar of an officer or non-chamissioned officer who commands the escort and firing party at a military funeral, in which the requirements of the drill regulations provide for a particular participation in the religious services of an interment. It cannot be demied that an order detailing an officer to such duty is a lawful order, notwithstanding the fact that the burial service may be conducted by a clergyman of another denomination." service may be conducted by a clergyman of another denomination."

# SCHISM IN THE

WAGE SCALE SIGNED.

Johnston Glass Company Makes Terms With the Amalgamated.

Hartford City, Ind., Feb. 3.-The bitter war between the Amalgamated Window Glass Workers' association and the Simon Burns Union L. A. 309, the only ones giving employment to members of the Burns organization. Inability of the Burns union to furnish
men to operate the plant at Independence, Kan., and factory No. 2 at this
place caused the company to suspend
operations at both places, using the
men to operate plant No. 1 in this city,
men to operate plant No. 1 in this city,
men to operate plant No. 1 in this city,
men to operate plant No. 2 in this city,
men to operate plant No. 2 in this city,
men to operate plant No. 3 in this city,
men to operate plant No. 4 in this city,
men to operate plant No. 5 in this city,
men to operate plant No. 6 in this city,
men to operate plant No. 6 in this city,
men to operate plant No. 7 in this city,
men to operate plant No. 8 in the later a man should refight ensued. 6 in which one Italian, one
spaniard and three Armenian-Greek
men to operate the plant at Independence, Kan., and factory No. 2 at this
place caused the company to suspend
operations at both places, using the
men to operate plant No. 1 in this city,
men to operate the plant at Independence, Kan., and factory No. 2 at this
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operations at both places, using the
men to operate plant No. 1 in this city,
men to operate the plant at Independence, Kan., and factory No. 2 at this
place caused the company to suspend
operations at both places, using the
before last midnight. The death was
not reported to the police until today.
The different in the preselature certain amendments to the personingham, who, while delirious from an
enervous breakdown, jumped from the
second story of his hat and uncover in the claws of the company of the preselature certain amendments to the personingham, who, which experience to the legis.
The Italian counsul at Jerusalem went
ingham, who, which experience to the legis of the preselature It is said that a closer working agreenent between the Amalgamated association and the National Brokerage ties was favorable to the Italian monks, company, a selling agency for the intend church services, for which refusal the initiation fee to the Johnston company's reduction and transfer to another pany employes from \$500 to \$1, are two pany employes from \$500 to \$1, are two pany employes from \$500 to \$1. dependent concerns, and reducing of have the guilty persons punished. the most important concessions

## FIRE DROVE THEM OUT.

Chicago Telephone Girls Remained at Their Posts Bravely.

ally destroyed by fire tonight. Those who suffered losses were: Oscar Loest- may be effected by a mutual treaty ex-In his opinion Judge Advocate General bavis called attention to the fact that congress is forbidden, by the first amendment to the Constitution, to make any law "respecting the establishment of religion of laborers of labels. Total loss, \$150, and the Ticket & Tablet company, manufacturers of labels. Total loss, \$150, irreaty rights pure and simple.

Suicide.

The marchioness in 1870 married Sir George Chetwynd. She had a son by her last marriage, who married an American, Rosamund, the daughter of the late Charles Zecor of New York.

## PATROL IS NECESSARY.

El Paso, Tex., Feb. 3.—Returning rom a trip of investigation at Mexican

Trenton, N. J., Feb. 3.—The Imperial Porcelain works of this city were burned today. Loss \$100,000.

St. Paul, Feb. 3.—General Mark D. Flower, postmaster of St. Paul and president of the Union Stock Yards company, died here tonight.



A rain coat in this sort of weather is not a luxury---it is an absolute necessity.

The rain coats we sell are made to protect you from the storm and also to dress you in a fashionable and seasonable way.

¶\$18 to \$35.

Richaed For Vadamese

Franciscan, Armenian and Greek Monks Fight in Bethlehem's

Holy Place. Rome, Feb. 3.-The Tribuna, in a semi-Knights of Labor, which has been official communication concerning the reraged for the past two years, came to cent fight between Armenian and Greek Howard P. Frothingham, Well sudden and unexpected end today, monks in the Sacred Grotto at Bethle a sudden and unexpected end today, when the Johnston Glass company operating two factories here and one at Independence, Kan., signed the wage scale of the Amalgamated association.

These three factories, it is said, were the only ones giving employment to rescue of their comparing and attacked and felled him with sticks. Other Franciscans rushed to the rescue of their comparing and a general rescue of their comparing and a general

passing to burn his candles without waiting for the Armenian ceremony to end. The inquiry made by the local authori-

## PLAN UNREASONABLE.

Japanese Opinion of Proposed Solution of Present Dispute.

Tokio, Feb. 3.-After a careful sur-Chicago, Feb. 3 .- A six-story building it may be stated that while the apat Franklin and Seventh streets, occu- proach of the termination of the dispied by several concerns, was practic- agreeable affair is welcomed, yet the retreaty rights pure and simple

Chinese Being Smuggled Into This haps fatally wounded. His assailant, William Ross, who is alleged to be an

watched the incident with subdued wrath in his eye.

"It's a matter for wonder how some people take to that form of stimulant." he remarked. "It seems to be the only when they get as bad as that.

now, had plenty of money to pay for a the luncheon the emperor had a long bottle of the stuff if he wanted it that conversation with Mr. Meyer. badly, but from my experience as a restaurant man in charge of medium-priced places, I find that it has often been next to impossible to keep Worcesbeen next to impossible to keep Worces-tershire sauce of any kind on the ta-has recommended that the Chinese gov-

"Do you mean to say that there are people who are in the habit of drinking Worcestershire sauce?" was asked.
"I certainly do," he said. "There are RELAPSE NOT FATAL. men and even women in New York who have consumed so much liquor that the linings of their stomachs have been affected. An ordinary drink of whisky or brandy doesn't satisfy their craving for the warmth of feeling that the chronic drinker desires. This Worcestershire sauce seems to hit the spot. I believe it men and even women in New York who drinker desires. This Worcestershire sauce seems to hit the spot. I believe it contains a percentage of alcohol and the condiments in it do the rest. The babit isn't confined to New York, either. Restaurant men all over the United States and Canada will tell you the same

THE WAY OF IT.

(New York Sun.) Knicker-Does he pay as he goes? and n Bocker-No; he goes as he doesn't pay, jured.

# BATTLE IN SACRED GROTTO BROKER JUN

Known in Wall Street, Victim of Breakdown.

nervous breakdown, jumped from the second story of his home, West Seventy-seventh street, yesterday, died just before last midnight. The death was not reported to the police until today, when a coroner instituted an investigation.

Cronquist and Henry Griffiths as a committee to prepare and present to the legislature certain amendments to the present irrigation law, which experience here has shown to be necessary. One of the proposed amendments provides that where a power or other company diverts water from the river above the headgates of a prior appropriates and in the former he should not, and there should be no deviation from the rule.

"The differentiation in the established courtesy shown by men as a power or other company diverts water from the river above the headgates of a prior appropriates and divergences.

Toklo, Feb. 3.—After a careful survey of public feeling here regarding the prospect of a satisfactory solution of the San Francisco school controversy, it may be stated that while the approach of the termination of the disagreeable affair is welcomed, yet the report from Washington that a solution may be effected by a mutual treaty excluding the immigration of laborers is generally disbelieved as unreasonable.

"call" money annually than any other firm. His commissions in the lending business have amounted to more than 5100,000 a year. For sixteen years he was a member of the New York stock exchange, but he found lending money more profitable than brokerage and developed. The Cache Commercial club will take the matter up at its next meeting and will no doubt decide to ask the legislature to amend the bill now before it so as to provide for cities of the second ham went to Atlantic City, where he remained a few days. Returning to his home here, he was ordered to bed and regard as those of the 1/2rst class. Of nurses stationed in constant attendance. When one of the nurses yesterlay opened a window, Mr. Frothingham sprang from his bed and jumped

## DIFFER ON MEASUREMENTS

You'll have to pay for that bottle of seventeen days, and when within a few Worcestershire sauce you took from hours of her destination, the bark my table." Charles Lering, carrying 380,000 feet of The man sheepishly pulled out the bottle, handed it to the waiter with the remark that he "guessed he'd leave it," and departed as quickly as possible.

The man sheepishly pulled out the lumber from Savannah to New York, talk about the big farms they have out the remark that he "guessed he'd leave it," the Old Dominion steamer Seneca last night, four miles off Seagirt, N. J. The call said, thoughtfully. 'Yes, sire, and the property of the callision occurred in a dense for No. The restaurant manager, who had collision occurred in a dense fog. No been hovering in the near offing. had one was injured and no lives were lost.

## REMAINED TO LUNCHEON.

Berlin, Feb. 3.-Mr. Meyer, the am- back. bassador, had an audience today with form of booze that will work up a warm splenger william and remained for splenger with the imperial family and it's the usual thing to send young mar the immediate entourage of the court. "It's a funny thing, too," he added, Mr. Meyer at the luncheon was seated that these chaps would rather steal it beside Princess Alexandra Victoria, than buy it. Worcestershire sauce isn't fiancee of Prince August William, so awfully expensive. That fellow, fourth son of Emperor William. After

GERMANY FOR STUDY.

Shanghai, Feb. 3.-The new Chinese ernment send a large number of officers

STREET FIGHT IN ODESSA.

Odessa, Feb. 3.—There was serious street fighting here Saturday night, in which the police wounded many pedestrians. Early in the day, following the funeral of two murdered policemen, there was a conflict between Jews and members of the black hundreds, and many persons on both sides were injured.

Logan People Take Interest in the Legislative Proposition as to Salt Lake.

Isers' Association held its annual meet- drawn and a little study of the quesng here this afternoon. The following oficers were elected: President, Olif Cron-

course a \$5.000 salary for the supervisors could not be paid here; \$900, they think, would be about the proper amount for a city of this size.

### WHAT TO DO FOR GRIP.

SCHISM IN THE

ROMAN CHURCH

Continued from Pags 1.

The little is the terms of the least dead of the second of th

Sir Thomas Lipton at a dinner in Chicago praised America's bigness.

farmer said, thoughtfully. Yes, sir, pretty sizable. I've seen a man on one of our big farms start out in the spring and plow a straight furrow till fall Then he turned around and harvested " 'Wonderful,' said I.

"'On our Dakota farms,' he went on, ried couples out to milk the cows. Their children bring home the milk. "'Wonderful,' I repeated.
"'Once,' he said, 'I saw a Dakota

farmer's family prostrated with grief.

The women were weeping, the dogs were barking, the children were squalling and the tears streamed down the man's face as he got into his twentymule team and drove off."
"'Where was he going?' said I. "'He was going half-way across the

farm to feed the pigs,' said the Da-'Did he ever get back?' I asked. "'It ain't time for him yet,' was the

FORMIDABLE POSSIBILITIES. (Washington Star.)

"Do you think the flying machine will "To you think the hying machine will soon be in active operation?"
"I hope not," answered the sardonic statesman. "The interstate commerce commission is having all the trouble it can handle with the railways."

A MIND FOR ACCURACY. (Washington Star.)

conscientious young man."
"Yes," answered the holiday girl, "tere ribly so. He insisted on hunting up a botanist to make sure that the plant he found me standing under was really mistletoe." "That is a wonderfully studious and

ETIQUETTE OF

THE ELEVATOR

There is no one to pass authoritatively upon the etiquette of the elevator," said a critical citizen to a Logan. Feb. 2.—The Logan River Water strikes me that the line should be tion has resulted in this conclusion

with me; quist; vice president, John Quayle; sectiveen the business elevators, those in retary, J. W. D. Thurren; Treasurer, N. office buildings, stores and public "I think the line should be drawn be M. Hansen; executive committee, Thomas buildings generally, and those in ho Irvine, Moses Thatcher and Charles C. tels. In the later a man should re-

when a coroner instituted an investigation.

A nervous breakdown due to recent reverses in Wall street is believed to have caused the despendency which resulted in the deed. Mr. Frothingham was one of the best known men in the financial district.

"Call" Money Broker.

He was one of the best known loan brokers in the country, taking more "call" money annually than any other firm. His commissions in the lending of the benefit of the company and Lawrence of business and public buildings they should by analogy take them off in Pullman cars, though there are some of our fair sisters who would keep a man on his knees all the time, as others would have him uncover in the street cars, which are inclosed compartments frequented by both sexes, and give him a perpetual cold in the head.

"Thatcher and Lawrence Y. Thatcher own most of the stock the latter holding 648. Three others hold I share each. F. W. Thatcher is president of the company and Lawrence of business and public buildings they should by analogy take them off in Pullman cars, the cabins of ferry boats, in street and railroad cars and coaches, in closed carriages and omnibuses, in

man to uncover in a public elevator er sense of discrimination, which the cynics of both sexes unite in declaring not accentuated, except as regards female apparel, it is the height of absurdity for her not to be indignant if man rides with her with his hat on in a closed carriage; yet not one of our sweet cousins would think for a ment that a man should do this. Travelers' Letters of Credit issued, avail-though he is closer to her in one com-

mous Beauty of Years Ago.

London, Feb. 3.—Florence Cecilia Paset, marchioness of Hastings, deley today and were very much concerned about their daughter's health when they were informed by the moust be assentiated, highest was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and marked the company of the treating was the greatest beauty in the mid-like and forth marked the purpose of the bowels either by enemic at the reintrophene to have a marked the marked the company of the treating of the treating was the marked which the mid-like and was the marked the certain of the purpose of the bowels either by enemic at the reintrophene to have a marked the marked the purpose of the bowels either by enemic and the incompany that in the meeting of the treating hilliness and fever indicate an attack of influenza is to go to bed in a quite, will control the mission of high was the marked the purpose of tending physician that her temperature had gone up to 102. Mrs. Longworth and fifty one-handied fifty

Traffic Will Be Temporarily Suspended on Rio Grande Until Obstruction Is Removed.

(Special to The Herald.)

(Special to The Herald.) fresh air in abundance. The value of this all potent remedial agent for the treatment of many diseases, notable among which are tuberculosis and pneumonia, is

recovered from the Stuart mine. Twelve are still in the mine. The property loss is estimated at \$30,000.

R. G. DUN & CO. Four per cent interest on savings deposits. Accounts solicited. Satisfactory guaranteed. Utah, Tdaho, Wyoming and Nevada. IF IT HAPPENS IT'S

Hunyadi

The Best Natural Laxative Water for biliousness, torpid liver, sluggish bowels, tadi gestion, stomach troubles. Safe, sure and prompt. Half a glass before breakfast for

Cures every ment of Man Beast that a good can cure. None better. None so good.

Union Dental Co.

HONEST WORK. HONEST PRICES. Painless Extraction of Teeth or No. Pay. All Work Positively Guarantees. 'Phones: Bell. 1126-X: Ind., 1126.

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E. H. HILLS, Assistant Cashier.

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IN THE HERALD



# SI-DURING FEBRUARY-SI

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So sure is the cure under DRS. SHORES' MODERN METHODS in all Private Diseases, that you may arrange to pay the fee for a cure in small weekly or monthly is stallments, as the cure progresses, or you may PAY WHEN CURED. No matter whis your trouble is, or who has falled to cure you, consult these Master Specialists, free charge, and learn how you can yet be cured. CALL OR WRITE.

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